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SUBJECT: BANGLADESH ANNUAL ANTI-TRAFFICKING IN PERSONS  
REPORT

REF: STATE 202745

11. This Anti-Trafficking in Persons (TIP) report covers efforts by the Bangladeshi government (GOB) from March 2006 to March 2007, and address the questions submitted to Post by G/TIP (reftel). Paragraph two begins text. Embassy point of contact is Luke Zahner, Political Officer, telephone: 880-2-885-5500 x 2148, IVG post-code: 583, fax number: 880-2-882-3744, e-mail: ZahnerLV@state.gov. Compiling the report required 88 hours at the FS-04 level, 16 hours at the FS-02 level, and 72 hours by Political Section and USAID FSNs.

12. Overview of the Country's Activities to Eliminate Trafficking in Persons

-- A. Bangladesh remains a country of origin and transit, especially for women and children, for the purposes of sexual exploitation, involuntary domestic servitude, and debt bondage. People from Bangladesh are trafficked to India, Pakistan, Bahrain, Kuwait, the United Arab Emirates (UAE), and other Persian Gulf States. While Bangladeshi children, and in particular boys, continue to be victims of debt bondage trafficking to the Gulf, efforts by the government of Bangladesh (GOB) and non-governmental organizations (NGOs) to stop the use of Bangladeshi boys as camel jockeys and to repatriate them have been largely successful.

Bangladesh provides a large number of laborers to other countries, particularly to the Middle East and Southeast Asia. While the vast majority of Bangladeshi expatriate laborers work under legitimate contracts, some Bangladeshi laborers are trafficked. Some are trafficked only after arriving in their host country or in transit; there have also

been reports of collusion between illicit Bangladeshi labor brokers and companies in the host countries.

Communities closest to border areas with India are at greatest risk for international trafficking. The GOB has improved its ability to keep track of those rescued at the border and at police stations, and these numbers are fairly accurate. There are no reliable statistics, however, for the number of victims successfully taken out of the country.

-- B. Trafficking remains a serious problem for Bangladesh. However, because it is impossible to get accurate figures for those individuals trafficked abroad, it is difficult to determine whether the trafficking situation has improved or deteriorated. Trafficking continues to receive serious attention from the GOB and civil society, and awareness continues to increase due to public and private outreach efforts.

Victims of trafficking are lured by promises of relatively high wages abroad and by false offers of marriage or employment. Targeted populations include the very poor, migrants, ethnic minorities, flood and other disaster victims, runaways, the illiterate, and women who have been divorced, widowed, or abandoned. Trafficked children often travel with a parent or guardian to their place of work and are left alone with the employer after a few weeks. Fake passports are not required for trafficking purposes since it is not difficult to get a real passport with a false identity. Fake birth, marriage, divorce, and death certificates are widely available, and few people in rural

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areas register births or marriages.

The caretaker government that took office in January 2007 has proposed steps to crack down on document fraud, including the possible introduction of a national identification card with strict issuance controls, but these plans are still in the discussion phase. The new government also launched a major anti-corruption program which has also netted people and organizations with possible links to labor trafficking rings. Over the past year, police and the paramilitary Rapid Action Battalion have raided and de-licensed or closed several labor recruitment agencies engaged in possible labor trafficking scams.

There has been significant progress in the area of camel jockeys. According to GOB reports, no camel jockeys of Bangladeshi origin remain in the UAE. A total of 168 boys originally trafficked as camel jockeys have been repatriated from the UAE to Bangladesh under an agreement between the two governments, and all but one have been reunited with their families. An additional 32 boys have returned from the UAE to Bangladesh through other channels. The GOB continued to track trafficking cases through the anti-TIP Units at the district and national levels.

-- C. The GOB has taken significant steps in the last three years to combat trafficking. However, its ability to increase trafficking prosecution is constrained by an inefficient judicial system and untrained prosecutors. Lack of sufficient training and resources persist. The GOB has sought to address these problems by working with the International Organization on Migration (IOM) to provide training in 2007 for approximately 1,500 prosecutors and lawyers to enhance their capacity to deal with trafficking cases more effectively.

The GOB has not been able to provide adequate shelter for trafficking victims and commonly relies on non-governmental organizations (NGOs) for assistance. Bangladesh's border with India is not secure, and its Coast Guard has too few resources to prevent trafficking and smuggling along the Bay of Bengal. Although there is little direct evidence of corruption among police or border officials in regards to

trafficking, some NGOs assume that the general climate of corruption prevalent in Bangladeshi society is a contributing factor to trafficking.

-- D. The Ministry of Home Affairs (MOHA) collects data on trafficking arrests, prosecutions, and rescues, and presents these data to Embassy personnel and other interested donors monthly. The Monitoring Cell for Trafficking in Persons continues to function at National Police Headquarters since being established almost three years ago. One of the responsibilities of the cell is to coordinate and analyze the information coming from the police's regional anti-trafficking units. These regional units are responsible for monitoring local trafficking cases and assisting prosecutors in getting the cases to trial.

The GOB also stood up district trafficking-in-persons monitoring committees in each of the country's 64 districts, headed by the Deputy Commissioner (the principal government officer at the district level). These committees are responsible, among other things, for monitoring selected pending trafficking cases for fast-track trials.

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### 13. Prevention

-- A. The GOB acknowledges trafficking is a serious problem and works with the U.S. and other donors to combat it.

-- B. The MOHA is the lead agency for the GOB's anti-trafficking efforts. Other key GOB actors are the Prime Minister's Office, the Ministry of Women and Children's Affairs, the Ministry of Law, the Foreign Ministry, the Ministry of Information, the Ministry of Social Welfare, the Ministry of Labor and Employment, the Ministry of Expatriate Welfare and Overseas Employment, the Ministry of Religious Affairs, the Ministry of Education, the NGO Affairs Bureau, the Department of Local Government, the Civil Aviation Authority, the Department of Immigration and Passports, the paramilitary ANSAR force, the paramilitary Rapid Action Battalion, the paramilitary Bangladesh Rifles, the Coast Guard, and the police.

-- C. The GOB continues to implement an extensive, nation-wide anti-trafficking campaign. From April 2006 through January 2007, the GOB aired 106 public service announcements (PSAs) on Bangladesh television (BTV), the only terrestrial TV channel in Bangladesh. The GOB produced and aired 444 radio PSAs on state-owned Bangla Betar radio network during the same period. The Ministry of Religious Affairs implemented several anti-trafficking programs including training religious teachers who reached out to over 300,000 people. The Ministry of Social Welfare, the Ministry of Women's and Children's Affairs and the Ministry of Primary and Mass Education conducted over 380,000 awareness sessions reaching micro-borrowers and at-risk families around the country. About 100,000 personnel of the Bangladesh Rifles, ANSAR and Village Defense Parties also received anti-trafficking training.

-- D. The GOB provides stipends to girls who attend school regularly to reduce child labor and child marriages. Stipends are based on girls staying in school with a monitored attendance record. Training is provided to imams and other religious leaders to raise awareness of the problem in mosques and religious schools. Donors, including the USG, fund most of these programs, and NGOs implement them.

-- E. There is a strong working relationship on anti-trafficking issues among government officials, NGOs, and other elements of civil society. Officials from various government offices collaborate in efforts at prevention, victim protection, and prosecutions, and a joint government-NGO coordination committee meets monthly to report on progress made in combating trafficking. The MOHA also

holds a monthly meeting with the Embassy to provide updates on their anti-trafficking efforts.

In response to concerns in 2006 of increased reports of labor migration problems, the GOB established a high-level working committee on labor migration problems to develop policies to address problems with expatriate labor. The committee, which met for the first time in February 2007, is chaired jointly by the Foreign Secretary and the Secretary of the Ministry for Expatriate Welfare.

One particular coordination success was the government-NGO cooperation in handling the camel jockey situation. Shelter

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operators, customs and border officials, local prominent citizens, and international development organizations worked extremely well together to facilitate the repatriation of the trafficked boys from the UAE and reunite them with their families in Bangladesh.

-- F. Since June 2004, immigration and customs officials have stopped more than 3,000 potential trafficking victims at the border, mostly at Zia International Airport in Dhaka. The government has instituted a three-stage screening process at all international airports. Land border screening remains weak, though the GOB has begun training land-port immigration officials to sensitize them to trafficking issues. The MOHA now provides updated numbers of potential victims stopped at the borders and analyzes them with the assistance of donor agencies and NGOs to try to identify trafficking patterns.

-- G. There are two government mechanisms for coordination and communication among ministries: the inter-ministerial trafficking-in-persons committee, and the joint government thematic working group chaired by IOM. The Home Affairs Secretary, the second-in-command at the MOHA, serves as the

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senior working-level government official on trafficking issues.

The new caretaker government has begun revamping the GOB's Anti-Corruption Commission (ACC) to help make it function. In January 2007, the ACC chair and commissioners resigned, and the government is in the process of replacing them with a priority on rehabilitating the body and making it an effective corruption watchdog.

-- H. The GOB launched its National Anti-Trafficking Strategic Plan for Action (NATSPA) on February 18, 2006. MOHA had the lead in developing the plan, but all GOB elements on the inter-ministerial anti-trafficking committee were involved, as were the key NGOs. Local media widely covered the national launching ceremony for the plan.

#### 14. Investigation and Prosecution of Traffickers

-- A. There has been no significant new legislation passed since the 2004 report. However, in October 2006 the GOB adopted an Overseas Employment Policy with the assistance of IOM to clarify policy regarding expatriate workers. This is the first such policy in South Asia, according to IOM.

The Repression of Women and Children Prevention Act of 2000 (amended in 2003) covers internal and external trafficking for sexual or non-sexual purposes. Other laws used in trafficking cases include the Child Marriage Restraint Act (1929), the Children Pledging and Labor Act (1933), and the Suppression of Immoral Traffic Act (1933). In 2005, Bangladesh signed a Bilateral Labor Agreement with Malaysia that stipulated policies and procedures for enforcing rules on expatriate labor. The laws are generally deemed to cover the full scope of trafficking cases.

-- B. The most common sentence handed down in trafficking

cases is life imprisonment, but sentences can range from 10 years of hard labor to death.

-- C. Domestic labor trafficking violations are generally prosecuted under the Repression of Women and Children Prevention Act as amended in 2003. Expatriate migration

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issues are overseen by the Ministry of Expatriate Welfare, and are guided by an Overseas Workers Policy adopted by the GOB in October 2006. Prosecutions for labor trafficking violations are generally conducted under anti-corruption, breach of contract, and fraud statutes. Penalties for violations generally include de-licensing and/or closure of the involved agency, as well as fines and possible jail time.

In 2006, the Ministry for Expatriate Welfare, the Bangladesh Agency for Manpower, Employment and Training (BMET) and the labor main recruitment agency umbrella organization agreed to enforce caps on fees that recruitment agencies can charge laborers. These registration fee caps, which are regulations rather than laws, generally limit the amount an agency can charge to 84,000 taka (approximately \$1,200). The fee includes airfare, health checkup, and other expenses. The GOB is strengthening its monitoring of these agencies, though enforcement of the caps is difficult because of deceptive practices by some agencies, side-costs levied on workers under the table, and general corruption.

-- D. Under the Repression of Women and Children Prevention Act as amended in 2003, the penalty for rape is a life sentence with hard labor, and a fine. Sentences for rape resulting in death range from a mandatory life sentence to the death penalty. The penalty for sexual abuse ranges from three to ten years of hard labor as well as fines.

-- E. Prostitution is decriminalized for women over the age of 18 who work in brothels. The punishment for pimps is ten years to life imprisonment. These laws are not uniformly enforced by the police.

-- F. From April 2006 to March 2007, the GOB investigated 68 trafficking cases, arrested 91 people on trafficking-related charges, and prosecuted 70. Thirty cases (some with multiple defendants) resulted in 43 convictions. The courts issued four death sentences, 32 sentences of life imprisonment, and seven sentences of lesser prison terms. There is no mechanism for plea bargaining in trafficking cases, and imposing a fine is not a sentencing option. Defendants in trafficking trials and convicted traffickers are routinely incarcerated.

The MOHA and the Monitoring Unit have been compiling information from different sources that demonstrates that many cases are being settled out of court or because witnesses are not showing up in court due to financial arrangements made outside of the legal system. Bangladeshi law treats these cases as acquittals when in fact they are mistrials. This distorts the reality of the number of acquittals versus convictions. The MOHA is just now starting to come to grips with this and decide on what approaches they can take to mitigate this situation.

In 2006, the GOB began more aggressively to investigate and prosecute cases involving labor recruiters who made knowingly fraudulent or deceptive offers. In July 2006, the Minister for Expatriate Welfare stopped issuing permits for female workers applying to work abroad after several high-profile cases of fraud. In November 2006, authorities prevented the potential trafficking of 30 Bangladeshi women to Lebanon through Zia International Airport in Dhaka, and arrested five immigration officers on suspicion of complicity in the case. Subsequent raids on five recruitment agencies led to their de-licensing and closure. In early 2007, as part of a wider

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anti-corruption effort, investigators uncovered linkages between recruitment agencies and other corruption cases. Investigations are still on-going in many of these cases. The MOHA has also opened an investigation into the three Bangladeshi recruitment agencies that were identified by name in a May 2006 National Labor Committee report on potential labor trafficking in Jordan.

-- G. There is anecdotal evidence connecting traffickers to rings of goods smugglers, but the scope of organized trafficking networks is unknown. NGOs cite recruitment and employment ("travel") agencies, marriage brokers, and opportunists with involvement in trafficking. The GOB initiated raids on five such agencies in late 2006, and ongoing anti-corruption and related investigations should shed more light on these networks.

-- H. The GOB actively investigates cases of trafficking. The GOB has begun providing more resources for anti-trafficking efforts, but investigations are still hindered by inadequately trained and under-resourced police and prosecutors. The GOB does not have the skills, knowledge, or resources to stage undercover operations or employ electronic surveillance against traffickers. The law allows for mitigated punishment and immunity for cooperating suspects, but these inducements are rarely used.

-- I. The GOB continued to work with international donor partners to develop and implement trafficking courses for the National Police academy. In 2005 and 2006, IOM provided TIP training for a total of approximately 25 Bangladeshi diplomats. The Foreign Ministry has indicated an interest in further training, and has discussed the creation of a new module on migration and labor trafficking to improve the ability and responsiveness of Bangladeshi embassy consular officers to handle these types of cases.

Another GOB program with IOM support provided TIP training to over 520 police station chiefs (out of a total of 580), to enhance investigative techniques, cooperate with prosecutors and civil society organizations, and prepare charge sheets on TIP cases.

The GOB continues to work with the Embassy to develop and provide specialized training for TIP prosecutors. One three-week session organized in 2006 trained 90 participants, from both legal and law enforcement agencies, in investigation techniques, trial preparation, and presentation.

-- J. The GOB coordinates with other governments in the investigation, repatriation and rehabilitation of trafficking victims. Bangladesh and Malaysia signed a Bilateral Labor Agreement in 2005 which governs rules on Bangladeshi expatriate laborers in Malaysia. Under this agreement, in 2006 the GOB and Malaysia coordinated a crackdown on Bangladeshi recruitment agencies which sent Bangladeshi laborers to Malaysia under false pretenses or with falsified documentation. These recruitment agencies were blacklisted from sending laborers to Malaysia in the future. The GOB and Indian government are collaborating on a joint action plan to repatriate child trafficking victims.

-- K. There are no pending extradition requests involving trafficking. There is no constitutional provision

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prohibiting extradition. Civil society groups involved in trafficking issues have entered in discussions with the GOB on the possibility of signing bilateral TIP extradition treaties as part of an initiative by the South Asian Association for Regional Cooperation (SAARC) to combat trafficking.

-- L. There is no evidence of systemic government involvement

in or tolerance for trafficking.

-- M. Since June 2004, there are four pending trafficking cases involving 13 GOB officials charged with trafficking. These cases are in various states of investigation and/or prosecution.

In November 2006, five immigration officers are under investigation and have been suspended in relation to the potential trafficking of 30 women to Lebanon through Zia international airport. The arrests led to raids on five recruitment agencies by the para-military Rapid Action Battalion and their de-licensing.

In February 2007, former deputy inspector of police Anisur Rahman and his wife were arrested and charged with kidnapping and intent to traffic. The couple claimed that seven children of the same age living in their home were their septuplets, but refused to take a DNA test to prove their parentage. Alena Khan of the Bangladesh Society for the Enforcement of Human Rights (BSEHR) filed the original complaint under the Women and Children Repression Prevention Act.

-- N. Bangladesh is not a source or destination for child sex tourism.

-- O. International Instruments:

- i) ILO Convention 182 (ratified in 2001);
- ii) ILO Convention 29 and 105 (ratified in 1972);
- iii) Optional Protocol to the Convention on the Rights of the Child 1989 (ratified in 2000);
- iv) Protocol to Prevent and Suppress and Punish trafficking in Persons, especially Women and Children (not signed).

#### 15. Protection and Assistance to Victims

-- A. The GOB supports one-stop crisis centers in Dhaka hospitals that, in cooperation with NGOs, provide legal, medical, and psychiatric services to victims. Most victim services, however, are provided at NGO-run shelters. Since 2004, the GOB has referred 534 victims of internal trafficking for such services. Of these, 39 women and children were still in NGO-run shelters, 11 were in government-run shelters, and the remaining 484 had returned to their families or guardians.

-- B. The GOB does not fund NGOs to provide victim services, but there is good coordination and cooperation between the government and the NGOs. In 2006, the Bangladeshi NGO INCIDIN opened a pilot shelter for street children at Dhaka's main train station in Kamalpur. The GOB provided a public structure suitable to serve as the shelter, and has discussed with INCIDIN how to expand the program.

-- C. There is no formal system for identifying trafficking victims among high-risk persons with whom they come into

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contact. There is no formal process for referring victims of internal trafficking to NGOs for shelter and other services, but in practice the courts and MOHA officials regularly refer victims to NGOs. In the case of the camel jockeys, a process was set up to send the boys first to a shelter in the UAE, and then to one of two shelters in Bangladesh depending on the age and needs of the boy. Older boys who wanted only vocational training went to the Dhaka Ahsania Mission shelter, while younger boys, boys who required Bangla language and culture classes, and boys who were interested in following an academic course of study, went to the Bangladesh National Women Lawyers Association (BNWLA) shelter.

-- D. The rights of victims are generally respected, and women are not routinely jailed for having been trafficked. However, government-run shelters remain inadequate, which is one reason NGOs began providing shelter services and often



receive referrals from the government. Since Bangladesh is not a destination country for trafficking, deportations and immigration fines do not apply.

-- E. Police anti-trafficking units encourage victims and witnesses to assist in the investigation and prosecution of cases. Since trials are rarely continuous, and even one witness's testimony may be heard in a handful of court sessions over a period of months, this type of support is important for mounting effective prosecutions. Several NGOs assist and encourage victims to file civil suits. However, no civil cases have been filed yet. Witnesses may leave the country with the permission of the court (in criminal cases) or by informing the court (in civil cases). There is no victim restitution program.

-- F. The GOB has developed a regional witness and victim protection protocol in conjunction with IOM. This protocol consists of a series of policies the GOB has begun implementing on an ad hoc basis, including protections for trafficking victims and witnesses to testify. For example, there are policies to permit the witness to submit testimony in writing or to testify only to the judge, and to make it easier to change the venue of the trial. The district police monitoring units cooperate with NGOs in victim and witness protection during the trial stage. In practice, most victims are referred to NGO-run shelters.

-- G. With the assistance of IOM, the GOB provided training on TIP-related issues to 520 police station chiefs in 2006. This training focused on enhancing the capacity of law enforcement officers to handle TIP cases more efficiently and better protect and assist trafficking victims. The GOB is also planning a training course for land-port immigration officials on prevention of trafficking. The GOB provides specialized TIP training to its border security forces, the Bangladesh Rifles and the ANSAR.

In 2006, IOM gave an anti-TIP course to entry-level officers at MFA's diplomatic training academy. The Foreign Ministry has indicated an interest for follow-on trainings that would also include an added module on labor trafficking for their embassy consular officers, in order to improve their awareness of the labor trafficking problem and enhance their ability to respond to such cases more effectively. The GOB has instructed its embassies and consulates to develop relationships with NGOs that assist TIP victims.

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-- H. The GOB works closely with NGOs to provide medical assistance, shelter, and legal and psychiatric services to trafficking victims. Repatriated camel jockeys are receiving approximately \$1,500 each from the UAE government, facilitated by the GOB and UNICEF.

-- I. NGOs working with trafficking victims:

- i) Bangladesh National Women Lawyers Association: shelter, legal, psychiatric services;
- ii) Ahsania Mission: shelter, legal, vocational services;
- iii) Association for Community Development: shelter and psychiatric services;
- iv) Rights Jessore: shelter and psychiatric services;
- v) Savior Jessore: shelter and psycho social services;
- vi) IOM: training for diplomats and police; inter-agency coordination; and
- vii) UNICEF: assisted in repatriation of camel jockeys; advocacy and training on trafficking issues; bilateral government activities with Bangladesh and India;
- viii) INCIDIN: child rights, shelter for street children

The GOB collaborates extensively with all of these organizations.

## 15. Heroes



Post nominates two organizations that have been powerful advocates for child rights as anti-trafficking heroes for this year:

-- A. Alena Khan, Executive Director of the Bangladesh Society for the Enforcement of Human Rights (BSEHR). In June 2006, Khan and BSEHR demanded an investigation into whether or not a retired Deputy Inspector General of Police (DIG) and his wife had kidnapped seven children with the intent to traffic them. Former DIG Anisur Rahman and his wife Anwara claimed the seven children, all under three years old, were their biological septuplets, although they already had seven other children of their own. Khan obtained a court order requiring the couple to get DNA tests to prove their parentage, with BSEHR offering to pay. The couple refused even under court order, and Khan then filed a complaint with the police under the Repression of Women and Children Prevention Act. A Dhaka court sent Anisur to jail in February, denying his motion for bail and ordering an investigation. In pursuing this case, Khan and BSEHR demonstrated courage in challenging a former high-level police official, and ensured that the seven children were removed from the Rahman household pending resolution of the case. (NOTE: Khan holds a valid five-year U.S. visa.)

-- B. INCIDIN. The Bangladeshi NGO INCIDIN is one of the most prominent advocates of children's rights in the country. It is also the first NGO in the country to tackle such sensitive issues as underage male prostitution, a little-discussed problem in the country. INCIDIN has worked to remove the stigma of discussing this subject and to shed light on this phenomenon. INCIDIN opened a safe-night shelter for street children in Dhaka in 2005 and has worked with the GOB to expand the program to other parts of the country. (NOTE: AKM Masud Ali, Executive Director of INCIDIN, holds a valid five-year U.S. visa.)

#### 16. Best Practices

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The establishment of 64 district level anti-trafficking committees (one for every district in Bangladesh) should be considered a best practice. Trying to combat trafficking by involving local resources and breaking the issue down into smaller, more manageable units seems like a logical and easily replicable option for other countries.

Staff at post has participated in several district level meetings which include key GOB representatives (district police chief, public prosecutors, social welfare staff, locally elected municipal/council members, etc.) as well as civil society activists. These committees meet periodically, but no less than monthly, to review pending trafficking cases in their area, promote and coordinate awareness raising activities, highlight critical issues for their locality such as identified trafficking areas or border crossing points and the maintain local level vigilance against this crime.

Solutions vary from district to district depending on their particular situation but the aim is always the same: to mitigate human trafficking and to bring justice to traffickers and victims. These committees prepare monthly reports on progress on arrests, adjudication of cases, sentences for convicted traffickers and status of those rescued. This reporting mechanism has provided decision makers with much needed information to adjust programs, configure new programs and how to allocate limited resources.

Post nominates this arrangement as a low-cost, low-tech methodology that mobilizes local resources to attack trafficking on a daily basis.

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